

**Jury demand date:**

ATTORNEYS

Dale Warner  
Best, Sharp, Thomas, Glass & Warner  
200 Franklin Bldg  
Tulsa, Ok 582-8877  
74103

| STATISTICAL RECORD  | COSTS        |  | DATE    | NAME OR<br>RECEIPT NO. | REC.  | DISB. |
|---|--------------|--|---------|------------------------|-------|-------|
| J.S. 5 mailed 8-1-74  | Clerk        |  | 7-31-74 | Milsten                | 15 00 |       |
|   |              |  | 8-1-74  | C/D #5                 |       | 15 00 |
| J.S. 6 mailed 4-1-75  | Marshal      |  |         |                        |       |       |
| Basis of Action: Products Liability; property damage to Pltf's truck. | Docket fee   |  |         |                        |       |       |
|   | Witness fees |  |         |                        |       |       |
| Action arose at:  | Depositions  |  |         |                        |       |       |

| DATE     | PROCEEDINGS  | Date Order or Judgment Noted |
|----------|--|------------------------------|
| 7-31-74  | 1. Petition for removal from Creek County (Drumright Division) District Court, filed, w/ copy of original petition.k   |                              |
| 7-31-74  | 2. Bond on Removal in the amount of \$500.00, filed (Safeco Ins. Co. of America).k   |                              |
| 7-31-74  | 3. Notice of filing of petition to remove to U.S. District Court and notice of filing of bond on removal, filed.k  |                              |
| 8-2-74   | 4. Acknowledgment of removal, filed. g   |                              |
| 8-5-74   | 5. APPLICATION for Extension of Time to Ans., filed.jj   |                              |
| 8-5-74   | 6. ORDER, filed, granting ext. of Time until 8-20-74(JCS+Clk)jj<br><i>copies mailed by atty.</i>   |                              |
| 8-6-74   | 7. Copy of Notice of filing of petition to Remove etc. from Thomas A. Wallace, atty for pltf., filed.jj  |                              |
| 8-19-74  | 8. Answer of deft., Sears, Roebuck and Co., filed. lm  |                              |
| 9-4-74   | MO: Parties are directed to hold a pre trial conference on or before 10-16-74 & file PT order on or before 10-23-74. (AEB-J)k<br>copies sent by certified mail |                              |
| 9-30-74  | 9. Entry of appearance, filed by Dale Warner. b <i>agreed by atty</i>  |                              |
| 10-2-74  | 10. Withdrawal of counsel, David R. Milsten, filed. lm <i>o g</i>  |                              |
| 10-15-74 | 11. Motion of def. to produce, w/brief in support thereof attached, filed. rm  |                              |
| 10-15-74 | MO: Ordered by the Court that pltf. is granted 10 days in which to respond to def. mo/produce. (AEB-J)rm - ltr written   |                              |
| 10-21-74 | 12. APPLICATION to Extend Time within which to File PT Order, filed.jj<br>O to J   |                              |
| 10-25-74 | 13. Pltf's response to request to produce, filed.k   |                              |
| 10-25-74 | 14. Memorandum brief in support of response to request, filed.k  |                              |
| 11-7-74  | 15. Order, filed, that parties are granted until 12-7-74 to file Pre-Trial Order. (AEB-J)v -copies mailed.   |                              |
| 11-7-74  | 16. Order, filed, that David R. Milsten is allowed to withdraw as counsel for Sears, Roebuck and Co. (AEB-J)v -cps mld.  |                              |
| 12-2-74  | MO: It is ordered by the Court that Deft.'s Mot. to produce is referred to Magistrate Bradford for hearing and recommendation. (AEB-J)k                        | <i>file to MCB</i>           |
| 12-12-74 | 17. ANSWER to Complaint, filed. lm   |                              |
| 12-18-74 | Deposition of Joe M. Reed, Sr., filed. (\$66 pd by deft.)g   |                              |
| 1-15-75  | 18. APPLICATION of deft. to withdraw motion to produce, filed.lm   | <i>note to MCB<br/>re MO</i> |
| 1-16-75  | MO: It is ordered by the Court that the application to withdraw motion to produce be and the same is hereby granted. (AEB-J). js                               |                              |
| 1-27     | PTO to Judge   |                              |

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|---------|---|------------------------------|
| 1-27-75 | 19. Pre-trial order, filed. (AEB-J)k  |                              |
| 1-28-75 | MO: ORDERED BY THE COURT that this case is set for Non-Jury Trial on February 3, 1975, at 10:00 A.M. (AEB-J)v -notices mailed.                          |                              |
| 1-31-75 | 20. Appl. of Deft. to Strike Case from Trial Docket, filed. v -o to be in.  |                              |
| 2-3-75  | MO: Ordered by the Court that case be stricken from non-jury trial docket of 2-3-75 and continued to 2-6-75, at 10:00 A.M. (AEB-J)b                     |                              |
| 2-4-75  | 21. Pltf's application to strike case from trial docket, filed. b   |                              |
| 2-4-75  | 22. ORDER striking case from trial docket of 2-6-75, filed. (AEB-J)b  |                              |
| 2-14-75 | MO: Ordered by the Court that this case is set for Non-Jury Trial on Monday, 3-17-75 at 9:30 a.m. (AEB-J)k notices by cert ml                           |                              |
| 3-11-75 | 23. TRIAL BRIEF of pltf, filed. lm  |                              |
| 3-17-75 | Case called for non-jury trial. Deft. Counsel, Joe Sharp announces settlement of case. Parties to file final papers within 10 days. (AEB-J)B<br>& Deft. |                              |
| 3-25-75 | 24. Appl. by Plf./for dismissal of case pending, because parties have amicably settled, filed. mm 0 to J (signed)                                       |                              |
| 3-26-75 | Order. (part of appl.), filed & entered, dismissing case upon joint application of parties. (AEB-J)g <i>mailed</i>                                      |                              |

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|      |             |                                 |